

VZCZCXR09623
PP RUEHBI RUEHCI
DE RUEHLM #1626/01 2771437
ZNY CCCCC ZZH
P 041437Z OCT 06
FM AMEMBASSY COLOMBO

TO RUEHC/SECSTATE WASHDC PRIORITY 4409
INFO RUEHKA/AMEMBASSY DHAKA PRIORITY 9481
RUEHIL/AMEMBASSY ISLAMABAD PRIORITY 6381
RUEHKT/AMEMBASSY KATHMANDU PRIORITY 4426
RUEHLO/AMEMBASSY LONDON PRIORITY 3227
RUEHNE/AMEMBASSY NEW DELHI PRIORITY 0027
RUEHNW/AMEMBASSY OSLO PRIORITY 3318
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0919
RUEHFR/AMEMBASSY PARIS PRIORITY 0112
RUEHKO/AMEMBASSY TOKYO PRIORITY 2397
RUEHCI/AMCONSUL CALCUTTA PRIORITY 0274
RUEHCG/AMCONSUL CHENNAI PRIORITY 6936
RUEHBI/AMCONSUL MUMBAI PRIORITY 4778
RUEHBS/USEU BRUSSELS PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 1399
RUEKDIA/DIA WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 04 COLOMBO 001626

SIPDIS

SIPDIS

E.O. 12958: DECL: 10/04/2016

TAGS: PGOV PHUM CE

SUBJECT: SRI LANKA: SOME EXPATRIATE NGO EMPLOYEES ASKED TO
LEAVE; GOVERNMENT APPEARS TO RECONSIDER

REF: A. COLOMBO 1474

- 1B. COLOMBO 1433
- 1C. COLOMBO 1366
- 1D. COLOMBO 1051
- 1E. COLOMBO 933

Classified By: AMBASSADOR ROBERT O. BLAKE, JR. FOR REASONS 1.4(b) and (d)

11. (C) Summary: Since 2005, NGO representatives have reported numerous obstacles to carrying out relief activities. On October 4, several newspapers ran a story on the latest impediment to NGOs: the GSL notified international staff of six international non-governmental organizations (INGOs) the visas of whom will be revoked based on allegations that they assisted the Liberation Tigers of Tamil Eelam (LTTE). According to a contact at Medecins Sans Frontieres (MSF), the Ministry of Defense initially advised all MSF expatriates to leave Sri Lanka on or before October 7. However, MSF representatives later met with officials from the Department of Immigration, the Ministry of Foreign Affairs (MFA), and the Ministry of Disaster Management, and received verbal permission to stay in Sri Lanka temporarily. Ambassador Blake has repeatedly raised the need for Government of Sri Lanka (GSL) support and protection for NGOs in separate meetings with President Rajapaksa; the Minister of Disaster Management and Human Rights, who is directly responsible for NGOs; and other senior GSL officials. End summary.

EXPATRIATE NGO EMPLOYEES ASKED TO LEAVE SRI LANKA

12. (U) Local news reports October 4 stated that international employees of six INGOs were being asked to leave Sri Lanka based on allegations that some of the organizations have provided assistance to the Liberation Tigers of Tamil Eelam (LTTE). The banned organizations include Medecins Sans Frontieres (MSF) France, Holland, and Spain; Medecins du

Monde

(MDM) France, Spain, and sister organization Doctors of the World USA; and the NGO Solidarites.

¶ 13. (C) On October 4, two representatives from MSF's Geneva office met with the DCM. They reported that their local field office received a letter from the Ministry of Defense (MOD) asking all MSF international staff to leave Sri Lanka by

October 7. The local MSF chief met with an official from the Department of Immigration and separately with Human Rights and Disaster Management Minister Mahinda Samarasinghe along with Ministry of Foreign Affairs (MFA) Additional Secretary Geetha de Silva October 2. Each of those GSL officials reportedly assured the local MSF representative that MSF could remain in Sri Lanka. However, MSF remained concerned about the October 4 media reports that their employees would have their visas revoked. The MSF Geneva representatives categorically denied working with the LTTE, noting that their employees had only worked in government-funded hospitals with full GSL knowledge and cooperation.

¶ 14. (C) In an October 4 phone conversation, de Silva told the DCM that all MSF international workers could remain in Sri Lanka. She said there might have been a "mix-up" with MSF France, MSF Holland never faced any problems, and MSF Spain, new to Sri Lanka, may still be obtaining work permits. She said, however, there "may be security problems" with Doctors of the World. The DCM emphasized the need for an official, public statement from the GSL regarding the status of these

COLOMBO 00001626 002 OF 004

NGOs

and noted that the GSL's handling of this case would be closely watched by the US and the international community.

¶ 15. (SBU) MSF had three expatriate workers, including one American citizen, posted at a hospital in Point Pedro in the far north. After receiving the MOD notice, MSF relocated the three employees to the ICRC compound in Jaffna, where they currently remain. The US-based Doctors of the World (DOW), working in Tangalle in the South, had only one American employee; she left Sri Lanka two weeks ago. She got in touch with the consular section before she left, but DOW has not contacted the Embassy since then. (Note: We will follow up with the local DOW office to see if this American NGO retains a presence in Sri Lanka. End note.)

PERVASIVE ANTI-NGO ATMOSPHERE

¶ 16. (C) The possible expulsions of NGO workers have exacerbated what many USAID partners call "a pervasive anti-NGO" atmosphere. Over the last year, NGOs have faced procedures requiring extensive new documentation when they register with the Ministry of Social Welfare. Recently, many agencies reported being turned away by security forces in the east for failing to produce a "Ministry of Defense (MOD) Registration." Soldiers at checkpoints have requested the document and insisted that NGOs obtain it from MOD headquarters. Yet the MOD, MFA, and Human Rights Ministry have all publicly and repeatedly asserted that NGOs do not need to register with the MOD or obtain MOD documentation prior to travel.

¶7. (C) In addition, staff members of NGOs, ICRC, and the UN reported being denied access to conflict-affected areas, including the Jaffna Peninsula, Trincomalee, Seruwila, and Sampur areas, and denial of permission for humanitarian convoys to enter LTTE-controlled areas in the north. NGO employees have alleged that GSL representatives told them work

permits would be systematically denied for agencies applying to work in the north and east. According to NGO contacts in Jaffna, GSL armed forces are informing NGOs that if their expatriate workers evacuate, the NGO offices must close and all assets must be handed over to the army.

¶8. (C) Under procedures introduced in the last three months, all expatriate NGO workers must apply for work permits from the Ministry of Social Welfare NGO Secretariat. However, the MOD retains the power to approve or deny the permits. The Consortium of Humanitarian Agencies (CHA) reported that over 550 applications were submitted, and 200 work permits were issued. According to CHA, 350 applications were returned to the NGOs with a request for further information about the applicants. Many NGOs are apprehensive as to whether they should withdraw expatriate workers from the field -- and some have already done so.

¶9. (C) NGOs have expressed greatest concern about the physical safety of staff. In May, grenades were thrown into or near the offices of three INGOs working in the Muttur area, causing minor injuries. Military clashes in Jaffna, Trincomalee, and Kilinochchi exposed NGO staff to threats from crossfire and shelling. Some NGOs reported incidents of

COLOMBO 00001626 003 OF 004

civilian mobs attacking their vehicles and staff members. In addition, the Sri Lanka Monitoring Mission (SLMM) believes that GSL security forces were probably culpable for the August murder of 17 local NGO workers in Muttur. The case is still under investigation and the perpetrators remain unknown.

PARLIAMENTARY SELECT COMMITTEE TARGETS NGOs

¶10. (C) In August 2005, the Marxist, Sinhalese chauvinist Janatha Vimukthi Peramuna (JVP) initiated a Parliamentary Select Committee (PSC) on NGOs. The 26-member committee, chaired by JVP parliamentarian Wijitha Herath, has a mandate to investigate the operations and impact of NGOs in Sri Lanka.

In an October 4 conversation with Pol FSN, Herath said the PSC found that members of MSF France, MSF Spain, MDM France, and the Doctors of the World USA were "promoting activities against the national security of the country in connivance with the LTTE cadres."

¶11. (C) Herath claimed that those NGOs used the pretext of rehabilitation work in LTTE-controlled areas in the north and east to provide material aid to the LTTE, including transport to LTTE cadres in NGO vehicles, use of office space, and in the case of MDM France, displaying the LTTE Health emblem on their letterhead juxtaposed with that of the Sri Lankan Ministry of Health. Herath said, however, that the PSC had not requested the government revoke the expatriate employees' visas. According to regulations, the PSC can only submit recommendations to parliament, not to executive branch agencies. Herath reported that PSC will submit its findings to parliament by the end of October.

U.S. AND PARTNERS URGE GSL TO SUPPORT AND PROTECT NGOs

¶12. (C) Ambassador Blake discussed the need for GSL support and protection for NGOs with President Mahinda Rajapaksa in a September 9 meeting (immediately after presenting his credentials) and in subsequent meetings with Minister for Disaster Management and Human Rights Mahinda Samarasinghe, who is directly tasked with coordinating NGO activities, and other senior GSL officials (reftels). A/S Boucher and PDAS Mann made similar points to the President and GSL during June and August trips to Colombo (reftels). On August 21, local Co-Chair representatives (US, EU, Norway, and Japan) called on President Rajapaksa with the same message (reftel). In addition, Foreign Minister Mangala Samaraweera and Minister Samrasinghe assured the UK High Commissioner and German Ambassador today that there was "no problem" with MSF. The European envoys requested the guarantee in writing.

COMMENT

¶13. (C) Among the more lurid allegations reported in the press was a story that foreign mercenaries have entered the northern region in the guise of NGO employees to support the LTTE. There is a possibility that the GSL will feel compelled to respond by making an example of an NGO that, for example, used an LTTE logo on its letterhead. The NGO representatives we have spoken to are somewhat reassured by

COLOMBO 00001626 004 OF 004

the GSL's backpedaling on its expulsion letters, but, for the security of their humanitarian workers, need clarity in the form of written assurances. GSL officials we have contacted appear sensitive to pressure from the international community.

Embassy will continue to press the GSL at the highest levels to allow reputable NGOs such as MSF to carry on their humanitarian relief work. End comment.

BLAKE